

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

HAWK TECHNOLOGY SYSTEMS, LLC,)
Plaintiff,)
v.) Case No. 2:20-cv-02766-JPM-tmp
CASTLE RETAIL, LLC,)
Defendant.)

)

JOINT STIPULATION

WHEREAS Plaintiff Hawk Technology Systems, LLC (“Hawk”) filed suit against Defendant Castle Retail, LLC (“Castle”) alleging infringement of U.S. Patent No. 10,499,091 (“the ’091 patent”) (ECF No. 1);

WHEREAS Castle filed a Motion to Dismiss for Unpatentability of the ’091 Patent under 35 U.S.C. § 101 (ECF No. 9);

WHEREAS on September 15, 2021, the Court granted Castle’s Rule 12(b)(6) Motion and dismissed this case with prejudice (ECF No. 44);

COME NOW, Pursuant to Rule 54 of the Federal Rules of Civil Procedure, Hawk and Castle, by and through their undersigned counsel, hereby voluntarily stipulate as follows:

1. Any motion for fees and/or costs shall be filed: (1) no earlier than October 16, 2021, and no later than October 29, 2021, if Hawk does not appeal the Court’s September 15, 2021 decision or, (2) if Hawk appeals the Court’s September 15, 2021 decision, no earlier than the issuance of a mandate from the Court of Appeals for the Federal Circuit regarding such

appeal and no later than 30 days after the issuance of such mandate. Any such filing(s) shall be considered timely.

Respectfully submitted,

/s/R. Mark Field

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